



State of New Jersey

Christine Todd Whitman
Governor

Department of Environmental Protection

Robert C. Shinn, Jr.
Commissioner

Division of Solid and Hazardous Waste

401 East State Street

P.O. Box 414

Trenton, NJ 08625-0414

Phone # (609) 292-9880

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APR 16 2001

Barry Tornick, Chief
New Jersey Section
RCRA Program Branch
USEPA Region II
290 Broadway
New York NY 10007-1866

RE: The Class 3 Modification to Hazardous Waste Facility Permit No. 1708C1HP01 for the Expansion of Secure C Landfill at DuPont Chambers Works, Carneys Point Township, Salem County, EPA ID No. NJD 002 385 730

Dear Mr. Tornick:

Please be advised that the New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, has completed its evaluation of the permit modification application made by DuPont Chambers Works for the referenced hazardous waste facility.

The Department has reached a final determination that the modification to the hazardous waste facility permit be issued. Copies of the modified hazardous waste facility permit, Report of Public Comment, and Addendum to the Report of Public Comment are enclosed for your information.

Very truly yours,

Anthony Fontana, Chief
Bureau of Hazardous Waste & Transfer Facilities

EP48/sjf
Enclosures

c: John Barry, BHWCE-South



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DONALD T. DiFRANCESCO
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APR 16 2001

The Honorable Albert Graham
Mayor, Carneys Point Township
303 Harding Highway
Carneys Point NJ 08069

RE: The Class 3 Modification to Hazardous Waste Facility Permit No. 1708C1HP01 for the Expansion of Secure C Landfill at DuPont Chambers Works, Carneys Point Township, Salem County, EPA ID No. NJD 002 385 730

Dear Mayor Graham:

Please be advised that the New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, has completed its evaluation of the permit modification application made by DuPont Chambers Works for the referenced hazardous waste facility.

The Department has reached a final determination that the modification to the hazardous waste facility permit be issued. Copies of the modified hazardous waste facility permit, Report of Public Comment, and Addendum to the Report of Public Comment are enclosed for your information.

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Phone # (609) 292-9880
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The Honorable George E. Reed
Mayor, Pennsville Township
90 North Broadway
Pennsville NJ 08070

APR 16 2001

RE: The Class 3 Modification to Hazardous Waste Facility Permit No. 1708C1HP01 for the Expansion of Secure C Landfill at DuPont Chambers Works, Carneys Point Township, Salem County, EPA ID No. NJD 002 385 730

Dear Mayor Reed:

Please be advised that the New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, has completed its evaluation of the permit modification application made by DuPont Chambers Works for the referenced hazardous waste facility.

The Department has reached a final determination that the modification to the hazardous waste facility permit be issued. Copies of the modified hazardous waste facility permit, Report of Public Comment, and Addendum to the Report of Public Comment are enclosed for your information.

Very truly yours,

Anthony Fontana, Chief
Bureau of Hazardous Waste & Transfer Facilities

EP48/sjf
Enclosures


c: ✓ Barry Tornick, USEPA
John Barry, BHWCE-South

Addendum to the Report of Public Comment

The Application by E.I. du Pont de Nemours and Company, Inc.
for Modification of Its Permit
to Operate a Hazardous Waste Disposal Facility
at DuPont Chambers Works
in Deepwater, Salem County, New Jersey

Submitted By:

Date: April 16, 2001


Thomas Sherman, Assistant Director
Division of Solid and Hazardous Waste
New Jersey Department of Environmental Protection

On November 16, 2000, the New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, issued its tentative approval of the draft permit modification concerning the expansion of Secure C Landfill at the DuPont Chambers Works site. This tentative approval was granted for the landfill expansion project due to the successful completion of all procedures prescribed for the review of the permit modification application under authority of the New Jersey Hazardous Waste Regulations and the Resource Conservation and Recovery Act.

As part of this tentative approval, a fact sheet was prepared to set forth the principal facts and the significant factual, legal, and methodological considerations given in granting the approval. The fact sheet included the draft permit modification and the Report of Public Comment which was prepared subsequent to the completion of the required public hearing and public comment period held on the landfill expansion project pursuant to N.J.A.C. 7:26G-13 and 40 C.F.R. § 124.10.

In accordance with the Major Hazardous Waste Facilities Siting Act, the fact sheet was subsequently transmitted to an administrative law judge and subjected to an adjudicatory hearing process. The administrative law judge was charged with the review of the findings of the Department and responsible to provide recommendations on the matter. All materials contained within the administrative record of the Department's permit modification process were made available to the administrative law judge for review at his discretion.

On March 29, 2001, The Honorable Joseph Lavery, ALJ, issued his Initial Decision Settlement recommending that the Department grant the permit modification to accommodate landfill expansion.

On April 12, 2001, Commissioner Shinn, finding that no exceptions had been filed and that the decision was reasonably and properly based on the record, adopted Judge Lavery's decision without modification.

Therefore, on April 16, 2001, the Division of Solid and Hazardous Waste issued the modification to the hazardous waste facility permit.


LF ROPC ADDENDUM

Report of Public Comment

The Application by E.I. du Pont de Nemours and Company, Inc.
for Modification of Its Permit
to Operate a Hazardous Waste Disposal Facility
at DuPont Chambers Works
in Deepwater, Salem County, New Jersey

Submitted By:

Date: November 16, 2000


Thomas Sherman, Assistant Director
Division of Solid and Hazardous Waste
New Jersey Department of Environmental Protection

I. Introduction

A public notice was published in The Gloucester County Times and Today's Sunbeam newspapers on July 17, 2000, to give notice to the public that comments would be received on draft permit modification documents prepared by the Department of Environmental Protection, Division of Solid & Hazardous Waste, for the hazardous waste disposal facility operated at DuPont Chambers Works, Deepwater, Salem County. The public notice advised that a public hearing would be held on August 16, 2000, at the Municipal Building of the Township of Carneys Point to receive oral testimony on the draft permit action. The public notice further advised that the public comment period would remain open through August 31, 2000. The public notification and public hearing were provided in accordance with provisions of the New Jersey Administrative Code at N.J.A.C. 7:26G and the Resource Conservation and Recovery Act ("RCRA") at 40 C.F.R. 124.

If issued, the permit modification would grant the authority for DuPont to expand its existing landfill through the construction and operation of a new land disposal cell at the Chambers Works site. The new cell would represent an approximate three (3) acre lateral expansion and fifteen percent (15%) overall volume increase to the existing twenty three (23) acre Secure C Landfill which is used for disposal of sludge filter cake generated by an onsite wastewater treatment plant and other various types of bulk hazardous and non-hazardous waste from onsite and offsite DuPont sources. Although issuance of this permit modification would authorize a relatively minor increase in the disposal capacity of the Secure C Landfill at DuPont Chambers Works, its issuance would result in the increase of the cumulative hazardous waste capacity of the Chambers Works site to more than fifty percent (50%) above its established 1981 baseline capacity. Because of this fact, the landfill expansion project is also subject to the requirements of the New Jersey Hazardous Waste Facilities Siting Act (Act) which include the preparation of an environmental and health impact statement (EHIS) document in accordance with the provisions of the Act and the New Jersey hazardous waste regulations.

The initial permit modification application was submitted to the Department by letter dated June 19, 1998. Following completion of the EHIS by an independent environmental consultant and acceptance of the EHIS by the New Jersey Hazardous Waste Facilities Siting Commission in accordance with the Act, DuPont was directed by the Department to commence public notification procedures in accordance with RCRA regulations by letter dated June 3, 1999. Subsequently, DuPont issued notice of the proposed permit modification on June 8, 1999, published a public notice in the Today's Sunbeam

newspaper on June 10, 1999, and held a public meeting at the Carneys Point Township Municipal Building on July 15, 1999, to announce plans for landfill expansion. Following the completion of public notification procedures, the permit modification application was determined administratively complete by the Department on July 21, 1999, and accepted for technical review. A technical completeness determination on the permit modification application was made by the Department on June 29, 2000, and public notification of the draft permit modification documents which are the subject of this Report of Public Comment was made on July 17, 2000.

II. Oral Testimony

An opportunity for the public to present oral testimony on the draft permit modification action for DuPont Chamber Works before representatives of the Department and the New Jersey Hazardous Waste Facilities Siting Commission was given at the August 16, 2000, public hearing. The only testimony received was from a DuPont official who gave a brief statement describing the proposal for landfill expansion.

III. Written Comments

Comments received during the public comment period held from July 17, 2000, through August 31, 2000, on the draft permit modification action for DuPont Chamber Works, include those from the applicant, DuPont Chambers Works (Comment 1); from a state agency, the Historic Preservation Office (Comment 2); and from two (2) concerned citizens (Comments 3 and 4). The edited text of these comments and their associated responses follow:

Comment 1

Although regulatory language specifies that the drainage layer within the leak detection system must meet either the hydraulic conductivity requirement of 1×10^{-2} cm/sec or more, through use of a granular drainage material **or** the transmissivity requirement of 3×10^{-5} m²/sec or more, through use of a geonet system, Condition 1(a)(3)(vii) of Section III of the draft permit states that the drainage layer:

"...shall contain granular drainage material having a hydraulic conductivity of at least 1×10^{-2} centimeters per second **and** a bi-planar geonet with a transmissivity of 3×10^{-5} meters² per second or more."

Since both of these structures are not required elements of the drainage layer, DuPont requests that the language of the permit condition be changed to reflect that either element

may exist to fulfill the regulatory requirement. Using the same reasoning, the Department should not require that both performance characteristics be met. We do not believe it is the Department's intention to include a more stringent requirement for the drainage layer than is prescribed by the regulations.

Response 1

It is not the Department's intention to impose more stringent requirements; rather it is the Department's responsibility to describe in the permit the design of all landfill elements as they exist or will be constructed. Since the design of the drainage layer of the leak detection system as approved by the Department includes both a granular drainage component and a geonet component, both must be identified in Condition 1(a)(3)(vii) of Section III of the permit to accurately depict the construction of the drainage layer. In addition, since each of these components have an associated performance standard established within the regulations, the Department has determined that each component shall be required to meet the minimum criteria as reflected in the text of the permit condition.

The Department recognizes that the approved design for the drainage layer goes beyond the minimum regulatory requirements for the leak detection system and did take that fact into consideration during the review of the engineering designs for the landfill elements.

Comment 2

The Historic Preservation Office has issued a finding of "No Historic Properties Affected" and recommends "no further consideration" of historic and archaeological resources within the area of potential effects for the project based upon its review of available location information. In the event of unanticipated archaeological discoveries, DuPont should be advised to consult with the Division of Parks & Forestry and the Historic Preservation Office as part of its documented notification procedure.

Response 2

DuPont has been notified of the need for consultation with the Division of Parks & Forestry and the Historic Preservation Office in the event of any unanticipated archaeological discoveries at the project location.

Comment 3

The expansion of the capacity for hazardous waste disposal by

DuPont should absolutely be disallowed. If anything, the entire facility should be immediately closed without question. We do not need more pollution placed into our land, water, or air under any circumstances.

(The commentor's submittal included a reprint of a published article entitled, "Toxic Bodies: Endocrine Disruption, Our Imperiled Future" by Jackie Alan Giuliano, which describes the effects of chemical substances on the endocrine system and other effects of toxics on wildlife and humans)

Comment 4

The expansion of the hazardous waste disposal site is strongly opposed. New Jersey is full of toxic sites which put the health of its citizens at stake. DuPont's dangerous site should be shut down, not expanded.

Response to Comments 3 and 4

The Department thanks you for your comment. Please be assured that the Department understands your concerns and has made great strides in its efforts to minimize hazardous waste production in the State through regulatory requirements placed on waste generators for reduction of waste volumes and toxicity. Also, substantial regulations have been put into place to ensure that the engineering designs of permitted hazardous waste facilities will minimize the chances of the release of hazardous waste to the environment and that contingency plans and emergency procedures will be carried out in the event of an unforeseen accident. In addition to meeting these stringent requirements, an environmental and health impact statement was also completed for the proposed expansion of DuPont's land disposal facility. This document, prepared by an independent environmental consultant, concluded that the landfill expansion project will not create any significant permanent impacts to human health or the environment.

It is a fact of life that hazardous waste and toxic chemicals exist in our everyday lives and it is everyone's burden to dispose of them properly. Therefore, operations like those being conducted at DuPont's land disposal facility are necessary to prevent the pollution of our environment which can be caused by uncontrolled or ineffective waste management practices. As long as DuPont maintains the design and operation of their hazardous waste facility in the manner approved by the Department and remains in compliance with the hazardous waste regulations and other applicable statutes, the Department cannot deny DuPont their permit to operate on the basis outlined in your comment.

IV Conclusions

The permit modification shall be granted "tentative approval" by the Department and be submitted to an administrative law judge for an adjudicatory hearing in accordance with the procedures outlined within the Major Hazardous Waste Facilities Siting Act.

LF ROPC



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Division of Solid & Hazardous Waste
P.O. Box 414
Trenton, New Jersey 08625-0414
Phone# 609-292-9880
Fax# 609-633-9839

Hazardous Waste Facility Permit

Under the provisions of N.J.S.A. 13:1E-1 et seq. known as the Solid Waste Management Act, this permit is hereby issued to:

E.I. du Pont de Nemours and Company, Inc.
Chambers Works
Deepwater NJ 08023

For the Purpose of Operating:	Secure C Landfill
On Block No.:	185
Lot No.:	1
In the Municipality of:	Carneys Point Township
County:	Salem
Under Facility Permit No.:	1708C1HP01
EPA ID No.:	NJD 002 385 730

This permit is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This permit shall not prejudice any claim the State may have to riparian land, nor does it allow the permittee to fill or alter or allow to be filled or altered in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection or the U.S. Environmental Protection Agency.

October 9, 1998
Issuance Date
November 9, 1998
Effective Date
April 16, 2001
Modification Date
November 9, 2008
Expiration Date


Thomas Sherman, Assistant Director
Division of Solid & Hazardous Waste

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Scope of Permit

The hazardous waste rules at N.J.A.C. 7:26G were adopted by the New Jersey Department of Environmental Protection on October 21, 1996. By this adoption, the Department "incorporated by reference" (with limited exception) the July 1, 1993 version of the Federal hazardous waste regulations found at Parts 124, 260-266, 268 and 270, Title 40 of the Code of Federal Regulations (C.F.R.). Those provisions of the Federal regulations which were not incorporated by reference are listed in the State regulatory adoption. Additional changes to the New Jersey hazardous waste rules will be necessary to address Federal regulations adopted subsequent to July 1, 1993. The Department will adopt amendments to N.J.A.C. 7:26G to incorporate by reference those changes to the Federal regulations that have been made since July 1, 1993, and a prospective incorporation by reference which will incorporate all future amendments and supplements to the Federal regulations automatically. Within 180 days of the effective date of these amendments to N.J.A.C. 7:26G, the Department will initiate a modification of this permit to incorporate such provisions as are made necessary by the newly adopted rules.

The conditions of this permit are based on the New Jersey hazardous waste regulations at N.J.A.C. 7:26G and on the permit application submitted by the permittee. In order to eliminate confusion, and to clearly describe the precise obligations which are imposed upon the permittee, only the specific Federal regulatory citations as of July 1, 1993 are listed in the conditions of this permit. For the applicable State regulatory citations, refer to N.J.A.C. 7:26G.

This permit, along with the referenced permit application documents herein specified, shall constitute the sole Hazardous Waste Facility Permit for the operation of a hazardous waste disposal facility at DuPont Chambers Works in Deepwater, Salem County, New Jersey. Any registration, approval, or permit previously issued by the Division of Solid & Hazardous Waste or its predecessor agencies to authorize landfill operations at the subject facility is hereby superseded. The permittee need not comply with the conditions of this permit to the extent and for the duration such non-compliance is authorized by an emergency permit (40 C.F.R. § 270.61).

Section I of this permit contains the general conditions applicable to all hazardous waste facilities. Section II of this permit contains general conditions applicable to DuPont Chambers Works. Section III of this permit contains specific conditions applicable to the hazardous waste management practices at DuPont Chambers Works.

Description of Hazardous Waste Activities

This permit authorizes DuPont Chambers Works to operate a hazardous waste disposal facility, Secure C Landfill, at the Chambers Works site. Secure C Landfill is used to dispose of sludge filter cake generated by the onsite wastewater treatment plant and other various types of bulk hazardous and non-hazardous waste from onsite and offsite DuPont sources.

Area I, which is single-lined, was closed prior to the promulgation of RCRA regulations and is therefore considered to be a non-RCRA regulated waste management unit.

Areas II and III are operating and are underlain by a two liner system equipped with leachate collection and leachate leak detection systems. The liner system consists of two Hypalon liners, each 30 mils (0.03 inches) thick, separated by a twelve (12) inch leak detection layer. The leak detection layer consists of an eight (8) inch layer of gravel overlain with a four (4) inch layer of sand. The upper liner is overlain by a twelve (12) inch layer of gravel which serves as the leachate collection system. The lower liner is constructed upon compacted fill material.

Area IV is operating and is underlain by a two liner system equipped with leachate collection and leachate leak detection systems. The liner system consists of two Hypalon liners, each 45 mils (0.045 inches) thick and each overlain with Typar 3341 geotextile, separated by a twelve (12) inch leak detection layer. The leak detection layer consists of a six (6) inch layer of gravel overlain with a Typar 3341 geotextile and six (6) inches of sand. The upper liner system is overlain by two (2) feet of gravel and a Typar 3341 geotextile and serves as the leachate collection system. The lower liner is underlain by three (3) feet of compacted clay constructed upon compacted fill material.

These landfill systems are designed to handle all leachate generated during a 24 hour, 25 year storm; designed so that leachate depth over the top liner never exceeds twelve (12) inches; designed so that the system will function without clogging; and constructed so that all leachate generated flows by gravity into collection sumps. Operating characteristics of the leachate collection system have demonstrated that the system is functioning as the design intended.

Summary of Permit Modification Actions

On April 16, 2001, a Class 3 Permit Modification was issued for the Secure C Landfill permit which served to authorize the construction and subsequent operation of landfill cell 5A (Area V). Area V is designed as a state of the art double composite liner system equipped with leachate collection and leachate leak detection systems. The double composite liner system consists of two Hypalon geomembrane liners, each 45 mils (0.045 inches) thick and each overlain with engineered materials to provide cushioning for the geomembrane and promote drainage of leachate. The lower liner system is composed of the lower geomembrane underlain by three (3) feet of compacted clay and is constructed upon compacted fill material. The leak detection layer located between the two liner

systems consists of a composite biplanar geonet with geotextile filter and twelve (12) inch layer of granular drainage material which is overlain by the geosynthetic clay liner and upper geomembrane which comprise the upper liner system. The upper liner system is overlain by a cushioning geotextile, two (2) feet of gravel, and a geotextile filter which serves as the leachate collection system. Cell 5A has been designed to tie into existing landfill components of Areas III and IV of Secure C Landfill to maintain a continuous barrier between disposed materials and native soils and groundwater.

Summary of Permit Compliance Conditions

The permittee shall submit a Landfill Monitoring Report on an annual basis on or before April 30 of each year in accordance with Condition 1(e) of Section III of this permit.

The permittee shall submit monthly progress reports on the construction of Area V (cell 5A) of Secure C Landfill in accordance with Condition 7(a) of Section III of this permit.

The permittee shall submit construction certification letters at the completion of the construction of Area V (cell 5A) of Secure C Landfill in accordance with Condition 7(b) of Section III of this permit.

Section I

General Conditions Applicable to All Permits (40 C.F.R. § 270.30)

1. Duty to Comply

The permittee must comply with all conditions of this permit, except that the permittee need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency permit. (See 40 C.F.R. § 270.61). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of the appropriate Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2. Duty to Reapply

- (a) If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.
- (b) A complete application for a new permit shall be submitted at least one hundred eighty (180) days prior to the expiration date of this permit.

3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Need to Mitigate

In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.

5. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

6. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

7. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any relevant information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

9. Inspection and Entry

The permittee shall allow an authorized representative of the Department upon the presentation of credentials and other documents as may be required by law to:

- (a) Enter at reasonable times upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

10. Monitoring and Records

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, the certification

required by 40 C.F.R. § 264.73(b)(9) of this chapter, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, certification, or application. This period may be extended by request of the Department at any time. The permittee shall maintain records from all ground-water monitoring wells and associated ground-water surface elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.

(c) Records for monitoring information shall include:

- (1) The date, exact place, and time of sampling or measurements;
- (2) The individual(s) who performed the sampling or measurements;
- (3) The date(s) analyses were performed;
- (4) The individual(s) who performed the analyses;
- (5) The analytical techniques or methods used; and
- (6) The results of such analyses.

11. Signatory Requirements

All applications, reports, or information submitted to the Department shall be signed and certified. (see 40 C.F.R. § 270.11).

12. Reporting Requirements

(a) Planned Changes

The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility.

(b) Anticipated Noncompliance

- (1) The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. For a new facility, the permittee may not treat, store, or dispose of hazardous waste; and for a facility being modified, the permittee may not treat, store, or dispose of hazardous waste in the modified portion of the facility except as provided in 40 C.F.R. § 270.42, until:

- (i) The permittee has submitted to the Department by certified mail or hand delivery a letter signed

by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and

(ii) (A) The Department has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

(B) If, within 15 days of the date of submission of the letter in paragraph 12(b)1i of this section, the permittee has not received notice from the Department of his or her intent to inspect, prior inspection is waived and the permittee may commence treatment, storage, or disposal of hazardous waste.

(c) Transfers

This permit is not transferable to any person except after notice to the Department. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under RCRA. (See 40 C.F.R. § 270.40).

(d) Monitoring Reports

Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(e) Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(f) Twenty-Four Hour Reporting

(1) The permittee shall report any noncompliance which may endanger health or the environment orally within 24 hours from the time the permittee becomes aware of the circumstances, including:

(i) Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies.

(ii) Any information of a release or discharge of hazardous waste or of a fire or explosion from the HWM facility, which could threaten the

environment or human health outside the facility.

(2) The description of the occurrence and its cause shall include:

- (i) Name, address, and telephone number of the owner or operator;
- (ii) Name, address, and telephone number of the facility;
- (iii) Date, time, and type of incident;
- (iv) Name and quantity of material(s) involved;
- (v) The extent of injuries, if any;
- (vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
- (vii) Estimated quantity and disposition of recovered material that resulted from the incident.

(3) A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Department may waive the five day written notice requirement in favor of a written report within fifteen days.

(4) Oral Notification shall be provided to the NJDEP Hotline at (877)WARN DEP. Written notification shall be provided to the Bureau of Hazardous Waste and Transfer Facilities and the Bureau of Hazardous Waste Compliance and Enforcement at the addresses provided in Condition 11 of Section II of this permit.

(g) Manifest Discrepancy Report

If a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy. If not resolved within fifteen days, the permittee must submit a letter report, including a copy of the manifest, to the Department. (See 40 C.F.R §264.72.)

(h) Unmanifested Waste Report

This report must be submitted to the Department within 15 days of receipt of unmanifested waste. (See 40 C.F.R. § 264.76.)

(i) Biennial Report

A biennial report must be submitted covering facility activities during odd numbered calendar years. (See 40 C.F.R. § 264.75.)

(j) Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraphs (d), (e) and (f) of this condition, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this condition.

(k) Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

End of Section I

Section II

General Conditions Applicable to DuPont Chambers Works

1. Permit Modification or Revocation and Reissuance

Cause for, and procedures of, modification, or revocation and reissuance of this permit shall be as provided under 40 C.F.R. § 270.41.

2. Personnel Training (40 C.F.R. § 264.16)

(a) Facility personnel shall successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that insures the facility's compliance with the requirements of 40 C.F.R. § 264.16, as stated in the facility's Part B permit application, and as referenced in Condition 12(b) of Section II of this permit. New employees shall be trained within six (6) months of the date of employment.

(b) The training program shall be maintained with records and documentation describing the type and amount of both introductory and continuing training that has been and will be given to each person engaged in hazardous waste management at the facility.

(c) The permittee shall keep the training records on current personnel until closure of the facility; training records on former employees shall be kept for at least three (3) years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

3. Preparedness and Prevention (40 C.F.R. §264.30 through §264.37)

The facility shall be designed, constructed, maintained and operated to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, surface water or groundwater which could threaten human health or the environment.

(a) The facility shall be equipped with emergency equipment, including but not limited to:

(1) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;

(2) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency

assistance from local police departments, fire departments, or State or local emergency response teams;

(3) Portable fire extinguisher, fire control equipment, spill control equipment, and decontamination equipment; and

(4) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

(b) All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, shall be tested and maintained as necessary to assure its proper operation in time of emergency.

4. Contingency Plan (40 C.F.R. § 264.50 through § 264.56)

(a) The provisions of the Contingency Plan included in the Part B permit application plus all amendments, revisions and modifications thereof subsequently submitted for review and accepted by the Department, and as referenced in Condition 12(b) of Section II of this permit, shall be carried out immediately whenever there is a fire, explosion or release of hazardous waste constituents which could threaten human health or the environment.

(b) When an emergency coordinator determines that the facility has had a discharge, fire, or explosion which could threaten human health or the environment outside the facility, the emergency coordinator shall immediately notify the local Fire Department, local Police Department, and other officials if an assessment indicates that evacuation of local areas may be advisable. The emergency coordinator shall be available to help officials decide if local areas should be evacuated. The telephone numbers are:

Emergency Management:	(856) 769-2900
Fire Department:	(856) 678-4505
Police Department:	(856) 678-7777

(c) (1) If the facility has a discharge, fire, or explosion which could threaten human health or the environment, the following shall be notified immediately:

New Jersey Department of Environmental Protection
Communication Center/Trenton Dispatch
Bureau of Communication and Support Services
Trenton, NJ 08625
Telephone 1-877-WARN DEP (24 Hours)

- (2) Additionally, if the emergency coordinator determines that the facility has had a discharge, fire, or explosion which could threaten human health or the environment outside the facility, the emergency coordinator shall immediately notify:

National Response Center
2100 Second Street, SW
Washington, D.C. 20593
Telephone 1-800-424-8802 (24 Hours)

- (d) If the emergency coordinator determines that the facility has had a discharge, fire, or explosion which would threaten human health or the environment, the emergency coordinator shall immediately notify the agencies listed in Condition 4(c) above. When notifying these agencies, the coordinator shall report the type of substance and the estimated quantity discharged, if known; the location of the discharge; actions the person reporting the discharge proposes to take to contain, clean up and remove the substance if any and any other information concerning the discharge which the Department may request at the time of notification.
- (e) The owner or operator shall note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the owner or operator shall submit a written report on the incident to the Department. The report shall include, but not be limited to:
 - (1) Name, address, and telephone number of the owner or operator;
 - (2) Name, address, and telephone number of the facility;
 - (3) Date, time, and type of incident;
 - (4) Name and quantity of material(s) involved;
 - (5) The extent of injuries, if any;
 - (6) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
 - (7) An estimated quantity and disposition of recovered material that resulted from the incident.

5. Security (40 C.F.R. § 264.14)

- (a) The permittee must maintain the security procedures as described in the facility's Part B permit application plus all amendments, revisions and modifications thereof

subsequently submitted for review and accepted by the Department, and as referenced in Condition 12(a) of Section II of this permit.

- (b) The permittee shall prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons or livestock onto the active portion of the facility.

- (1) A facility shall have:

- (i) A 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility; or
 - (ii) An artificial or natural barrier, which completely surrounds the active portion of the facility; and a means to control entry, at all times, through the gates or other entrances to the active portion of the facility.
- (2) The requirements of paragraph (b)1 are satisfied if the hazardous waste storage, treatment or disposal site is located in a facility which itself has a surveillance system, or a barrier and a means to control entry, which complies with the requirements of subparagraph (b)1i or (b)1ii.
- (3) The owner or operator shall post a sign with the legend, "Danger - Unauthorized Personnel Keep Out", at each entrance to the active portion of a facility, and at other locations, in sufficient numbers to be seen from any approach to this active portion. The legend shall be written in English and in any other language prevalent in the area surrounding the facility and must be legible from a distance of at least twenty five (25) feet. Existing signs with a legend other than "Danger - Unauthorized Personnel Keep Out" may be used if the legend on the sign indicates that only authorized personnel are allowed to enter the active portion, and that entry onto the active portion can be dangerous.

6. Termination of a Permit (40 C.F.R. § 270.43)

The following are causes for terminating a permit during its term or for denying a permit renewal application:

- (a) Noncompliance with any condition of this permit; or
- (b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

- (c) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination.

7. Operating Record (40 C.F.R. § 264.73)

The permittee shall keep a written operating record at the facility in which the information required under 40 C.F.R. § 264.73(b) shall be recorded. The information shall be recorded as it becomes available and maintained in the operating record until closure of the facility.

8. Permit Limitations (40 C.F.R. § 270.4(c))

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights or any infringement of applicable Federal, State, or local laws or regulations.

9. Financial Requirements (40 C.F.R. Part 264 Subpart H)

- (a) The permittee shall maintain financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility. The permittee shall have and maintain liability coverage for sudden occurrences in the amount of at least \$3 million per occurrence with an annual aggregate of at least \$6 million exclusive of legal defense costs. The permittee shall demonstrate financial responsibility for sudden accidental occurrences according to the mechanisms given in 40 C.F.R. § 264.147 paragraphs (a)(1), (2), (3), (4), (5) or (6).
- (b) The permittee shall establish financial assurance for closure of the facility. The permittee shall use a financial assurance mechanism approved by the Department, from the options specified in paragraphs (a) through (f) of 40 C.F.R. § 264.143.
- (c) The permittee shall have a detailed written closure cost estimate of closing the facility in accordance with 40 C.F.R. § 264.142(a). The permittee shall adjust the closure cost estimate for inflation within sixty (60) days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with 40 C.F.R. § 264.143. If the permittee uses the financial test or corporate guarantee, the closure cost estimate shall be updated for inflation within thirty (30) days after the close of the firm's fiscal year and before submission of the updated information to the Department. The adjustment may be made by recalculating the maximum costs of closure in current dollars, or by using an inflation factor derived from the most recent Implicit

Price Deflator for Gross National Product published by the U.S. Department of Commerce in its *Survey of Current Business*. The inflation factor is the result of dividing the latest published annual Deflator by the Deflator for the previous year.

- (1) The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.
- (2) Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.
- (d) During the active life of the facility, the permittee shall revise the closure cost estimate no later than (30) days after the Department has approved the request to modify the closure plan, if the change in the closure plan increases the cost of closure. The revised closure cost estimate must be adjusted for inflation as specified in 40 C.F.R. § 264.142(b).
- (e) The permittee shall keep at the facility during the operating life of the facility, the latest closure cost estimate prepared in accordance with 40 C.F.R. § 264.142(a) and (c) and, when this estimate has been adjusted in accordance with 40 C.F.R. § 264.142(b), the latest adjusted closure cost estimate.
- (f) The wording of all financial documents (except for the insurance policy itself) that are submitted under paragraphs (a), (b) and (c) of this Condition must be as per 40 C.F.R. § 264.151 with the changes specified at N.J.A.C. 7:26G-8.1(c)8.

10. Compliance with Other State Regulations and Statutes

The permittee shall comply with all regulations of the Department of Environmental Protection and other State Statutes applicable to the facility. Regulations are effective upon publication in the New Jersey Register or as otherwise indicated in the Notice of Adoption in the New Jersey Register.

11. Submission of Documents Required by Permit Conditions

The permittee shall submit all permit compliance documents required by this permit to the following:

- (a) New Jersey Department of Environmental Protection
Bureau of Hazardous Waste and Transfer Facilities
401 East State Street
P.O. Box 414
Trenton NJ 08625-0414

- (b) New Jersey Department of Environmental Protection
Bureau of Hazardous Waste Compliance and Enforcement
One Port Center
2 Riverside Drive, Suite 201
Camden NJ 08102

12. Referenced Permit Application Documents

- (a) The permittee shall operate the facility, and construct or install associated appurtenances thereto, in accordance with the regulations contained in 40 C.F.R. Parts 260 through 270, the conditions of this permit, and the following permit application documents:
 - (1) Section D-1 of the RCRA Part B Permit Application dated November 1987, revised January 1988, and the following engineering designs submitted in Appendix F of Section D-1:

DWM1791 Revision 4
DWM1794 Revision 21
DWM1911 Revision 2
W485500 Revision 78
W576321 Revision 24
W605550 Revision 20
 - (2) Section I, Appendix H, of the RCRA Part B Permit Application, Closure and Post-Closure Plan for Secure C Landfill, dated November 1988.
 - (3) Section F of the RCRA Part B Permit Application, Procedures to Prevent Hazards at Secure C Landfill, dated December 1988.
 - (4) Secure C Landfill Area IV Final Construction Certification Report Volumes I-IV dated May 1989, and the following engineering designs submitted in Attachment 2 of Volume II:

W939532 Revision 44
W983659 Revision 0
W919316 Revision 17
W923899 Revision 23
 - (5) Request to Modify Sideslope Tie-in of Areas III and IV for Secure C Landfill, dated December 10, 1991, and the following engineering designs submitted with the request:

DWM1943 Revision 0
DWM1944 Revision 0
 - (6) Construction Certification Report on Area IV Sideslope Cover Installation dated January 27, 1993, and the following engineering designs submitted with the report:

W927199 Revision 14

W927200 Revision 4

- (7) Permit Renewal Application and Vertical Expansion Proposal for Secure C Landfill dated March 30, 1993 and the following engineering designs submitted with the application:

W1218244 Revision 0

W1218245 Revision 0

W1230459 Revision 0

- (8) Revised Permit Renewal Application Documents for Secure C Landfill dated August 5, 1993.

- (9) Revised Personnel Training Plan, Contingency Plan, and Waste Analysis Plan submitted by letter dated November 24, 1993.

- (10) Secure C Landfill Permit Renewal and Modification Application, Volumes 1 and 2, dated February 5, 1998, and the following engineering designs included in the application:

W1425557 Revision 0

W1425556 Revision 0

W1425554 Revision 0

- (11) Response to Notice of Deficiency on Landfill Permit Renewal dated April 24, 1998.

- (12) Revisions to the Waste Analysis Plan for Secure C Landfill dated July 31, 1998.

- (13) Added 4/16/01

- (13) RCRA Part B Permit Application for Lateral Expansion of Secure C Landfill, Volumes I, II, and III, dated June 15, 1998, and cover letter dated June 19, 1998.

- (14) Added 4/16/01

- (14) Environmental and Health Impact Statement (EHIS) on the Expansion of the DuPont Chambers Works Commercial Hazardous Waste Facility, dated April 26, 1999, and the May 3, 1999, Supplemental Information for Final Environmental and Health Impact Statement for DuPont Chambers Works Hazardous Waste Facility Expansion.

- (15) Added 4/16/01

- (15) Response to the Department's November 16, 1999, Technical Notice of Deficiency for the Lateral Expansion of Secure C Landfill (Responses to Landfill Design Comments), dated December 22, 1999.

(16) Added 4/16/01

(16) Response to the Department's November 16, 1999, Technical Notice of Deficiency for the Lateral Expansion of Secure C Landfill (Responses to EHS Document Comments), dated April 11, 2000.

(17) Added 4/16/01

(17) Submission on the Control of Fugitive Dust Emissions at Secure C Landfill, dated May 30, 2000.

In case of conflict, the applicable hazardous waste management regulations contained in 40 C.F.R. shall have precedence over the conditions of this permit, and the conditions of this permit shall have precedence over the Part B permit application documents listed above.

(b) One complete set of the permit application documents listed in Condition 12(a) above, this Hazardous Waste Facility Permit, and all records, reports and plans as may be required pursuant to this permit shall be kept on-site and shall be available for inspection by authorized representatives of the Department upon presentation of credentials. The records, reports and plans required pursuant to this permit include the following:

(1) The description of the personnel training program and the records required by Condition 2 of Section II of this permit and 40 C.F.R. § 264.16.

(2) The Contingency Plan required by Condition 4 of Section II of this permit and 40 C.F.R. § 264.50, and specifically the plan dated January 1998.

(3) The written Operating Record required by Condition 7 of Section II of this permit and 40 C.F.R. § 264.73.

(4) Copies of the financial documents and closure cost estimate required by Condition 9 of Section II of this permit and 40 C.F.R. § 264.140.

(5) The Waste Analysis Plan outlined in Condition 3 of Section III of this permit and as required by 40 C.F.R. § 264.13, and specifically the plan dated February 5, 1998, revised July 31, 1998.

(6) The Inspection Schedule required by 40 C.F.R. § 264.15(b) and the records required by Condition 4 of Section III of this permit.

(7) Modified 4/16/01

(7) The Closure Plan required by Condition 5 of Section III of this permit and 40 C.F.R. § 264.112 and

specifically the plan dated March 30, 1993, revised February 5, 1998, and updated June 15, 1998.

- (8) Modified 4/16/01
- (8) The Post-Closure Plan required by Condition 6 of Section III of this permit and 40 C.F.R. § 264.112 and specifically the plan dated March 30, 1993, revised February 5, 1998, and updated June 15, 1998.

End of Section II

Section III

Specific Conditions Applicable to DuPont Chambers Works

1. Modified 4/16/01
1. Authorized Activities

The permittee is authorized to operate Areas II, III, and IV of Secure C Landfill for disposal of hazardous and non-hazardous solid wastes as described in Condition 2 of Section III of this permit. Area I of Secure C Landfill was closed prior to promulgation of the Resource Conservation and Recovery Act and is not regulated by this permit. Operations within Area V (Cell 5A) of Secure C Landfill shall not commence prior to the completion of all construction activities as described in Condition 7 of Section III of this permit.

(a) Design

Secure C Landfill shall be maintained as per the designs and construction plans contained within the permit application documents cited in Condition 12(a) of Section II of this permit. All landfill cells shall be designed, constructed, and installed to prevent migration of waste out of the landfill to the adjacent subsurface soil, groundwater, or surface water at anytime during the active life and post-closure care period.

- (1) Areas II and III of Secure C Landfill are designed and constructed as follows:
 - (i) The liner system is constructed of two liners which are installed so as to cover all surrounding earth likely to come into contact with waste and/or leachate.
 - (ii) The upper liner is constructed of a 30 mil (0.03 inch) Hypalon liner and is overlain by the landfill leachate collection system.
 - (iii) The lower liner is constructed of a 30 mil (0.03 inch) Hypalon liner and is overlain by the landfill leak detection system.
 - (iv) The lower liner is constructed upon a test-controlled compacted fill foundation to provide support to the liner.
 - (v) Each liner is suitable for the purpose intended and is compatible with both the waste

disposed and the leachate generated within the landfill.

- (vi) The distance between the upper liner and lower liner is a minimum of twelve (12) inches and contains permeable fill material having a hydraulic conductivity of at least 1×10^{-2} centimeters per second which serves as the leak detection system. This layer consists of at least eight (8) inches of gravel overlain by at least four (4) inches of sand and is sloped to allow leaked leachate to drain by gravity to leachate detection sumps.
 - (vii) The upper liner is overlain by at least twelve (12) inches of gravel to provide protection for the liner and to allow for effective drainage of leachate. The layer has a hydraulic conductivity of at least 1×10^{-2} centimeters per second and is sloped to allow leachate to drain by gravity to leachate collection sumps.
- (2) Area IV of Secure C Landfill is designed as follows:
- (i) The liner system is constructed of two liners which are installed so as to cover all surrounding earth likely to come into contact with waste and/or leachate.
 - (ii) The upper liner is constructed of a 45 mil (0.045 inch) Hypalon liner and Typar 3341 geotextile and is overlain by the landfill leachate collection system.
 - (iii) The lower liner is constructed of a 45 mil (0.045 inch) Hypalon liner and Typar 3341 geotextile and is overlain by the landfill leak detection system.
 - (iv) The lower liner is underlain by three (3) feet of compacted clay constructed upon a test-controlled compacted fill foundation to provide support to the composite liner system.
 - (v) Each liner is suitable for the purpose intended and is compatible with both the hazardous waste disposed and the leachate generated within the landfill.
 - (vi) The distance between the upper liner and lower liner is a minimum of twelve (12) inches and contains permeable fill material having a hydraulic conductivity of at least 1×10^{-2} centimeters per second which serves as the

leak detection system. This layer consists of at least (6) inches of gravel overlain by a Typar 3341 geotextile and at least six (6) inches of sand. The layer is sloped to allow leaked leachate to drain by gravity to leachate detection sumps.

- (vii) The upper liner is overlain by at least twenty-four (24) inches of gravel covered with a Typar 3341 geotextile to provide protection for the liner and to allow for effective drainage of leachate. The layer has a hydraulic conductivity of at least 1×10^{-2} centimeters per second and is sloped to allow leachate to drain by gravity to leachate collection sumps.

(3) Added 4/16/01

(3) Area V of Secure C Landfill is designed as follows:

- (i) The double composite liner system shall be constructed of two liners which are installed so as to cover all surrounding earth likely to come into contact with waste and/or leachate.
- (ii) The upper liner shall be constructed of a 45 mil (0.045 inch) Hypalon geomembrane and cushioning geotextile and overlain by the landfill leachate collection system.
- (iii) The upper liner shall be underlain by a geosynthetic clay liner (GCL) installed over the leak detection system. Together the upper geomembrane and GCL shall comprise the upper liner system.
- (iv) The lower liner shall be constructed of a 45 mil (0.045 inch) Hypalon geomembrane and composite geonet/geotextile filter and overlain by the landfill leak detection system.
- (v) The lower liner shall be underlain by a three (3) foot thick compacted clay liner (CCL) constructed upon a test-controlled compacted fill foundation to provide support to the composite liner system. Together the lower geomembrane and CCL shall comprise the lower liner system.
- (vi) Each liner system shall be suitable for the purpose intended and shall be compatible with both the hazardous waste disposed and the leachate generated within the landfill.

- (vii) The distance between the upper liner system and lower liner system shall be a minimum of twelve (12) inches and shall contain granular drainage material having a hydraulic conductivity of at least 1×10^{-2} centimeters per second and a bi-planar geonet with a transmissivity of 3×10^{-5} meters² per second or more. This leak detection layer shall be overlain by a geotextile filter and shall be sloped to allow leaked leachate to drain by gravity to leachate detection sumps.
- (viii) The upper liner system shall be overlain by at least twenty-four (24) inches of gravel covered with a geotextile filter to provide protection for the liner and to allow for effective drainage of leachate. This leachate collection layer shall have a hydraulic conductivity of at least 1×10^{-2} centimeters per second and shall be sloped to allow leachate to drain by gravity to leachate collection sumps.

(b) Leachate Control

Secure C Landfill shall have the following systems maintained as identified within the permit application documents cited in Condition 12(a) of Section II of this permit.

- (1) A leachate collection and removal system capable of handling all leachate generated during a 24-hour, 25-year storm and, at a minimum:
 - (i) Designed so that the leachate depth over the upper liner never exceeds 12 inches;
 - (ii) Constructed of materials which are chemically resistant to wastes disposed and leachate generated in the landfill;
 - (iii) Constructed of materials with sufficient strength and thickness to prevent collapse under pressures to be exerted by overlying waste, waste cover materials, and any equipment used on the landfill;
 - (iv) Designed and operated so that the system will function without clogging throughout the active life and post-closure care period; and
 - (v) Constructed so that all leachate flows by gravity into collection sumps.

- (2) A leachate (leak) detection system constructed between the upper and lower liners which is designed to monitor for failure of the upper liner and is capable of collecting and removing all leachate generated from upper liner failure during the active life and post-closure care period. The system shall be:
 - (i) Constructed of materials which are chemically resistant to wastes disposed and leachate generated in the landfill;
 - (ii) Constructed of materials with sufficient strength and thickness to prevent collapse under pressures to be exerted by overlying waste, waste cover materials, and any equipment used on the landfill; and
 - (iii) Designed and operated so that the system will function without clogging throughout the active life and post-closure care period.
- (3) A run-on control system to prevent the flow of storm water onto the active portions of the landfill during peak discharge from at least a 25-year storm.
- (4) A run-off management system to collect and control at least the water volume resulting from a 24-hour, 25-year storm.

(c) Modified 4/16/01

(c) Operation

- (1) The permittee shall operate Areas II, III, IV, and V of Secure C Landfill as delineated in the permit application documents referenced in Condition 12(a) of Section II of this permit and the following operational standards:
 - (i) Collection and holding facilities associated with run-off and run-on control shall be managed after storms to maintain the design capacity of the systems.
 - (ii) Run-off from active portions of the landfill shall be directed into the leachate collection system to prevent the migration of pollutants from the landfill into surface and/or ground waters.
 - (iii) Leachate draining from the leachate collection system shall be pumped from the leachate collection sumps to the onsite wastewater treatment plant.

- (iv) The volume of leachate collected in leachate (leak) detection sumps shall be measured to determine the leakage rate for each sump in accordance with 40 C.F.R. § 264.302(b). All leachate collected shall be pumped from sumps to the onsite wastewater treatment plant.
 - (v) Upon exceedence of the action leakage rate for any leachate (leak) detection sump, the permittee shall follow the response action procedures as described in the facility's Response Action Plan contained within the permit application documents cited in Condition 12(a) of Section II of this permit and as outlined at 40 C.F.R. §§ 264.304(b) and (c).
 - (vi) The permittee shall carry out all required groundwater monitoring activities during the active life of the facility and the post-closure care period as specified in the applicable permits.
 - (vii) The permittee shall operate the landfill so that no odors are detected offsite by sense of smell in any area of human use or occupancy.
 - (viii) The permittee shall control the potential for wind dispersal of waste by spraying sludge with water to minimize dusting, as necessary.
 - (ix) The permittee shall control rodents to prevent damage to the landfill.
 - (x) The permittee shall crush, shred, or similarly reduce in volume all contaminated equipment, debris, and other material prior to disposal in Secure C Landfill.
- (2) The permittee is authorized to stabilize and solidify waste materials within dino containers or other shipping containers which are staged at the landfill while awaiting test results and approval for placement.
 - (3) The permittee is authorized to operate a mix-head or auger, and to utilize other equipment or materials on the landfill to aid in placement and strengthening of waste and other materials being disposed provided that the use of the equipment or materials does not constitute treatment which would violate Federal Land Disposal Restrictions.

(d) Operating Record Requirements

The permittee shall include the following items as part of the operating record:

- (1) A map showing location, dimensions and depth of each area with respect to permanently surveyed benchmarks;
- (2) Contents of each area; and
- (3) The approximate location of hazardous wastes within each area.

(e) Monitoring and Reporting Requirements

The permittee shall perform the following, on an annual basis, and submit the results to the Department by April 30 of each year:

- (1) Develop an as built plan showing topography and cross-section;
- (2) Certify, by letter prepared by a New Jersey Registered Professional Engineer, that the site preparations, dike constructions, and installations of the Hypalon liners, leachate collection system, leachate (leak) detection system, and final cover have been performed in accordance with the approved engineering designs and/or conditions of this permit;
- (3) Modified 4/16/01
- (3) Survey and monitor the differential settlement that may occur in all closed sections of areas II, III, IV, and V of the landfill.
- (4) Develop strength data for sludge, ash, and any other materials landfilled or used in construction of the landfill. The strength data shall consist of total unit weight and strength parameters at a minimum; and
- (5) Perform slope stability analysis using the strength data developed in (4) above.

2. Authorized Wastes

(a) The permittee is authorized to place the following wastes in Secure C Landfill:

- (1) Dewatered sludge filter cake containing sludges generated by the onsite commercial wastewater treatment plant.

- (2) Bulk waste, which does not contain free liquids, and which meets the applicable treatment standards for characteristic hazardous waste (Hazardous Waste "D" Numbers).
 - (3) Bulk waste, which does not contain free liquids, and which meets the applicable treatment standards for listed hazardous waste (Hazardous Waste "F", "K", "P", and "U" Numbers).
 - (4) Bulk solid materials, containing no free liquids and meeting all applicable treatment standards, including but not limited to:
 - o contaminated equipment, ion exchange resins, crushed drums, diatomaceous earth, ditch cleanings, building rubble, other debris as defined in 40 C.F.R. § 268, spill cleanup residue, empty sample jars, molecular sieves, used sand blast grit, filter aids, activated charcoal, spent desiccants, contaminated clothing and protective equipment, spent silica gel, resins and waxes, contaminated asbestos and insulating agents, and excavated site soil;
 - o ash residues from the DuPont Experimental Station (EPA ID No. DED 003 930 807 located in Wilmington, Delaware), and ash residues from other DuPont sources;
 - o ID No. 27 solid wastes.
- (b) The permittee shall not place any waste in Secure C Landfill which:
- (1) Is prohibited from land disposal under 40 C.F.R. § 268;
 - (2) Is a characteristic hazardous waste (Hazardous Waste "D" Numbers) unless the waste has been treated to meet Federal Land Disposal Restrictions;
 - (3) Is a listed hazardous waste (Hazardous Waste "P", "U", "K" or "F" Numbers) unless the waste has been treated to meet Federal Land Disposal Restrictions;
 - (4) Contains a free liquid as determined by the Paint Filter Test, Method 9095, "Test Methods for Evaluating Solid Wastes, Liquids Physical/Chemical Methods" (EPA Publication No. SW-846);
 - (5) Contains polychlorinated biphenyls (PCB's) at a concentration greater than 50 ppm or greater than any future concentration limit set by the United

States Environmental Protection Agency or the Department;

- (6) Is radioactive as defined in 10 CFR Sections 20.105 and 20.306;
- (7) Is not generated by a research & development, manufacturing, or waste treatment facility owned and operated by E.I. du Pont de Nemours & Company, Inc.;
- (8) Is waste not specifically authorized by this permit.

3. Waste Analysis and Quality Assurance Requirements

- (a) The permittee shall adhere to the provisions of the waste analysis plan cited in Condition 12(b)5 of Section II of this permit, and any subsequent revisions approved by the Department.
- (b) Each wastestream accepted at this location shall be fully identified and classified in accordance with 40 C.F.R. § 264.13. At a minimum, the permittee shall develop all of the information which must be known to store, treat, and dispose of the waste onsite in accordance with the provisions of this permit, as well as to treat or dispose of the waste at authorized offsite facilities.

(1) Waste Characterization and Approval

- (i) All generators of material destined for land disposal shall complete a Waste Characterization Form which shall contain all of the information which must be known for storage, treatment, or disposal of the wastestream. The Waste Characterization Form shall be as identified in the Waste Analysis Plan cited in Condition 12(b)5 of Section II of this permit or as otherwise approved by the Department.
- (ii) Analytical testing shall be performed as necessary to verify chemical composition of the wastestream and to ensure that the waste meets land disposal restriction treatment standards. Sampling procedures and analytical methods utilized shall be as described in the latest edition of SW-846, or as developed by DuPont Environmental Treatment for specific wastestreams handled at the site. In addition to analytical test results, other applicable information on the wastestream shall be attached to the Waste Characterization Form.

- (iii) Once analyses are performed and the Waste Characterization Form is complete, the data shall be reviewed for compliance with Federal Land Disposal Restrictions. When wastes are determined to be acceptable for landfilling, a LDR Notification/Certification Form shall be prepared to indicate compliance with treatment standards. This form shall be included with the waste characterization information in the approval package.
- (iv) The Waste Characterization Form and attachments thereto shall be reviewed by the Generator and Waste Coordinator before being circulated for approval. Formal approval by signature shall be required of the Waste Coordinator and Operations Manager, or their designates.
- (v) An identification number shall be assigned to the approved waste characterization package which consists of a building number and wastestream number for Chambers Works wastestreams or a designation number for an offsite DuPont wastestream followed by the approval number.

(2) Waste Acceptance

- (i) All waste shipments to the landfill shall be accompanied by a Waste Transportation Order, or equivalent form, as identified in the Waste Analysis Plan cited in Condition 12(b)5 of Section II of this permit. The Waste Characterization Form number shall be checked to verify that it is active and that the material matches the approved waste. The shipment shall then be entered into the Operating Log and the shipment placed in the landfill. Waste shipped from other DuPont facilities shall be accompanied by a properly completed bill of lading or hazardous waste manifest and a Land Disposal Restriction/Certification Form as appropriate.
- (ii) If bulk waste destined for disposal is found to contain gross free liquids, then the bulk waste shall be removed and dewatered prior to placement. Following dewatering, bulk waste shall pass the paint filter test before placement is approved.
- (iii) Waste sludge generated at the onsite WWTP shall be collected in dedicated dino containers and transported to the landfill. Each sludge shipment shall be accompanied by a

Waste Transportation Order. Dewatered sludges shall be collected, inspected for free-standing water, and received for landfill transfer by the WWTP operating group on a 24 hour basis.

Sludge shall be placed into the landfill and the placement location noted on the landfill operation record map. A grab sample of sludge to be landfilled shall be taken at least once per operation day. These samples shall be composited and analyzed for metals and certain organic compounds as specified in the waste analysis plan to confirm adherence to land disposal treatment standards. If the results of analysis for any organic compound or metal exceed the screening limits defined in the facility's Waste Analysis Plan, the entire day's production of sludge shall be segregated and staged at the landfill until the discrepancy is resolved by further analyses. If results of these analyses confirm that the sludge does not meet land disposal treatment standards, the sludge shall be removed from the landfill area and transported to the dewatering tank to await authorized onsite treatment or shipment to an authorized offsite facility.

(3) Waste Recertification

- (i) Waste recertification is required for all active waste streams every two years. The recertification process shall include reanalysis by the generator, TCLP testing, paint filter testing, and evaluation of the Waste Characterization Form by the Environmental Coordinator, or equivalent, for compliance with existing regulations.
 - (ii) The new Waste Characterization Form and its attachments shall be formally approved by signature of the Waste Coordinator and Operations Manager or their designates.
 - (iii) If a wastestream is not recertified by DuPont Chambers Works within two (2) years of its most recent certification, or if the wastestream cannot be properly characterized, then the wastestream shall not be accepted by DuPont Chambers Works.
- (c) The permittee shall not accept any waste shipment which has not been adequately identified as specified in Condition 3(b) of Section III of this permit. The permittee shall not accept any waste type which is not authorized by Condition 2 of Section III of this permit.

- (d) Sampling methods and all waste analyses performed shall be in accordance with the procedures outlined in the waste analysis plan cited in Condition 12(b)5 of Section II of this permit, and shall employ equipment and analysis methods as described in the latest edition of USEPA Manual SW-846 or as developed by Dupont Environmental Treatment and approved by the Department.
 - (e) The permittee shall maintain in the written Operating Record required by Condition 7 of Section II of this Permit, as per 40 C.F.R. §264.73(b)(3), records and results of all waste analyses performed. Such records and results shall be entered into the written Operating Record as they become available and shall be maintained until closure of the facility.
 - (f) The permittee shall maintain the following information as per 40 C.F.R. § 270.30(j)(3) in the written Operating Record:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) the analyses were performed;
 - (4) The individual(s) who performed the analysis;
 - (5) The analytical techniques or methods used; and
 - (6) The results of the analysis.
 - (g) No changes shall be made to the Waste Analysis Plan without the prior approval of the Department.
4. Inspection Requirements (40 C.F.R. §264.15, §264.174, and § 270.14(b)(5))
- (a) The permittee shall inspect the facility for malfunctions and deterioration, operator errors, and leaks or other discharges which may be a threat to human health and the environment. The permittee shall follow a written inspection schedule for inspection of operating areas, safety and emergency equipment, and general site safety and security devices as detailed in the permit application documents cited in Condition 12(a) of Section II of this permit and identified below. Results of the inspections shall be made part of the inspection log and shall be maintained as specified in Condition 4(b) of this section.

(1) Operating Areas

<u>Area/Item</u>	<u>Inspect For</u>	<u>Frequency</u>
Leachate Collection System	Proper Operation	Daily
	Leaks, Spills	Daily
	Damage	Daily
Leak Detection System	Proper Operation	Daily
	Leaks, Spills	Daily
	Damage	Daily
	Amount Removed	Weekly*
Dikes, Top Cover and/or Side Cover	Erosion, Collapse	Daily
Working face	Run-on or Run-off	Daily
	Wind Dispersal of Dry Sludge or Cover Material	Daily

*Weekly monitoring of the leak detection system shall be conducted in accordance with the provisions of 40 C.F.R. § 264.303(c).

(2) Safety/Emergency Equipment

<u>Area/Item</u>	<u>Inspect For</u>	<u>Frequency</u>
Alarms	Function	Weekly
Telephones, communication equipment	Function	Weekly
First aid supplies	Availability	Weekly
Protective clothing	Availability	Weekly
Safety showers	Function	Weekly
Spill control supplies	Availability	Weekly
Fire control systems and equipment	In-Service Status Function	Weekly Semi-annual

(3) General Facility Safety and Security

<u>Area/Item</u>	<u>Inspect For</u>	<u>Frequency</u>
Housekeeping	Cleanliness, orderliness	Daily
Evacuation Routes	Obstructions	Daily

Fence, gates	Security, function	Daily
Warning signs	Availability, legibility	Daily

- (b) A log shall be kept of all inspections specified in Condition 4(a), above, to confirm adequate maintenance of the hazardous waste landfill and all associated equipment. Results of all required inspections shall be maintained in the log at the facility for a minimum of three (3) years. At a minimum, this log must include the date and time of each inspection, the name of the inspectors, a notation of the observations made, and the date and nature of any repairs or other remedial actions performed.
- (c) The permittee shall remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.

5. Closure of Hazardous Waste Management Units (40 C.F.R. § 264.110)

- (a) At the time of final closure, the permittee shall close the facility in the manner that is stated in 40 C.F.R. § 264.110 in accordance with the general closure requirements detailed in 40 C.F.R. §§ 264.111 through 264.116, and specific hazardous waste landfill closure requirements detailed in 40 C.F.R. § 264.310, in accordance with the closure plan referenced in Condition 12(b)7 of Section II of this permit.
- (b) The landfill shall be closed by placement of a final cover which is designed and constructed to provide long-term minimization of migration of liquids into the closed landfill. Installation of the specific elements of the final cover shall be monitored and inspected in accordance with the requirements of 40 C.F.R. § 264.303(a). At a minimum, the final cover design shall include the following elements:
- (1) A surface layer consisting of a minimum six (6) inches of topsoil that will support a vegetative top cover which is resistant to wind and water erosion and will promote transpiration.
 - (2) A protective layer consisting of a minimum eighteen (18) inches of granular soil which will separate the underlying drainage layer and barrier components from physical intrusion.

- (3) A geosynthetic composite drainage layer consisting of a bi-planar geonet (drainage material) covered on both sides by a non-woven geotextile (filtration and cushioning media) to allow the unobstructed flow of water to the surface water control system while preventing migration of soil particles into the barrier layer. This system is designed to:
 - (i) Reduce the head of water on the barrier layer to minimize infiltration;
 - (ii) Drain the protective layer to increase water storage capacity; and
 - (iii) Reduce pore water pressures in the cover soil to improve slope stability.
- (4) A composite barrier layer consisting of a geomembrane (GM) placed directly over a geosynthetic clay liner (GCL) with an in-place hydraulic conductivity of 2.7×10^{-9} cm/sec. This system is designed to:
 - (i) Ensure the prevention of liquid flow into the landfill throughout the closure and post-closure care periods; and
 - (ii) Accommodate any settling and subsidence while maintaining performance and integrity.
- (5) A bedding layer consisting of a minimum of twelve (12) inches of bedding material (waste sludge, soils, or other material) which is free of foreign matter or debris that could puncture the composite barrier layer.
- (c) The permittee shall complete closure activities in accordance with the approved closure plan within 180 days after receiving the final volume of waste at the facility.
- (d) The permittee shall submit certification by both the owner or operator and an independent professional engineer, licensed in the State of New Jersey, that the facility has been closed in accordance with the closure plan specifications. The certification shall be submitted to the Department within two hundred forty (240) days from the date of implementation of the closure plan, in accordance with 40 C.F.R. §264.115.
- (e) The Department will review the certification documentation and will conduct a closure certification inspection. If the closure certification documents are complete and there is a satisfactory closure certification inspection, the closure certification will

be accepted by the Department and the closure will be deemed complete.

- (f) Within sixty (60) days from certification of closure, the permittee shall record a notation on the deed to the facility's property, or on some other instrument which is normally examined during a title search, that will in perpetuity notify any potential purchaser of the property that:
 - (1) The landfill has been used to manage hazardous waste; and
 - (2) Its use is restricted under 40 C.F.R. Subpart G; and
 - (3) The survey plat and record of the type, location and quantity of hazardous waste disposed in the landfill required by 40 C.F.R. §§ 264.116 and 264.119(a) have been filed with the local zoning authority or the authority with jurisdiction over local land use and with the Department.
- (g) The permittee shall keep a copy of the closure plan and all revisions to the plan at the facility until closure is completed.
- (h) The permittee shall amend the closure plan any time changes in operating plans or facility design affect the closure plan or whenever there is a change in the expected year of closure of the facility. The permittee must comply with the requirement cited at 40 C.F.R. § 264.112(c)(3) for amendment of closure plan.
- (i) The permittee shall notify the Department at least forty five (45) days prior to the date the permittee expects to begin closure, except in cases where the facility's permit is terminated or if the facility is otherwise ordered by judicial decrees or compliance order to close. The date when the owner or operator "expects to begin closure" shall be within thirty (30) days after the date on which the owner or operator expects to receive the final volume of wastes.

6. Post-Closure Plan (40 C.F.R. § 264.118)

- (a) The permittee shall maintain the landfill during the post-closure period in a manner consistent with the general post closure care requirements detailed in 40 C.F.R. §§ 264.117 through 264.120, and specific post-closure care requirements for hazardous waste landfills detailed in 40 C.F.R. § 264.310, in accordance with the post closure plan referenced in Condition 12(b)8 of Section II of this permit, and the following:

- (1) The permittee shall conduct groundwater monitoring activities at the frequencies specified in the facility's NJPDES permit.
 - (2) The permittee shall perform maintenance activities at the site to ensure the integrity of the final cover and the function of the facility monitoring equipment.
 - (4) The permittee shall operate the leachate collection and removal system until the end of the post-closure period so that the leachate depth over the upper liner does not exceed one foot.
 - (5) The permittee shall maintain and monitor the leak detection system and notify the Department within seven days if a leak is detected.
 - (6) The permittee shall prevent run-on and run-off from eroding or otherwise damaging the final cover system.
 - (7) The permittee shall protect and maintain surveyed benchmarks.
 - (8) The permittee shall restrict access to the hazardous waste landfill as appropriate for its post-closure use.
- (b) The permittee shall adhere to the following inspection schedule during the post-closure period:

<u>Location</u>	<u>Inspection Type</u>	<u>Frequency*</u>
Final Cap/Cover (Top and Sides)	Settlement	Annually
	Erosion	Monthly
	Cracking/Dessication	Monthly
	Ponding	Monthly
	Slope Discontinuities	Monthly
	Slumping/Bulging	Monthly
	Rodents/Burrows	Monthly
	Vegetation(Reseeding)	Monthly
	Vegetation(Overgrowth)	Bi-Monthly
Surface Water Control System	System Cleaning	Annually
	Proper Operation	Quarterly
	Erosion	Quarterly
	Vegetation(Overgrowth)	Quarterly
Leachate Collection System	System Cleaning	Annually
	Pump Calibration	Annually
	Proper Operation	Monthly

Leak Detection System	System Cleaning Proper Operation Amount Removed	Annually Monthly Monthly**
Groundwater Monitoring Wells	Accessibility Deterioration Locks/Covers	Monthly Monthly Monthly
Survey Monuments	Visibility Deterioration	Quarterly Quarterly
Access Roads	Condition	Quarterly
Security Fence	Condition Gates/Locks	Quarterly Quarterly

*At a minimum, all inspections shall be made at the frequencies given above. Additional inspections shall be required following severe storms or other events which could cause damage to the noted items.

**Monthly monitoring of the leak detection system shall be conducted in accordance with the provisions of 40 C.F.R. § 264.303(c).

- (c) The permittee shall keep a copy of the existing post-closure plan, all revisions to the plan, and all post-closure inspection logs at the facility until the end of the post-closure period.
- (d) Within sixty (60) days of any change to operating plans or facility design, or the occurrence of any event which will impact the post-closure plan, the permittee shall amend the post-closure plan and submit a written request for permit modification to the Department for review in accordance with the requirements of 40 C.F.R. § 264.118(d) concerning the amendment of the post-closure plan.
- (e) Within sixty (60) days of the completion of the post-closure care period, the permittee shall submit to the Department a certification that the post-closure care period was performed in accordance with the specifications in the approved post-closure plan. The certification shall be signed by the permittee and an independent registered professional engineer in accordance with the requirements of 40 C.F.R. § 264.120.

7. Added 4/16/01

7. Construction/Installation Requirements

- (a) The permittee is authorized to construct cell 5A of Area V of Secure C Landfill in accordance with the construction plans and engineering designs contained within the permit application documents cited in Condition 12(a) of Section II of this permit. Construction/Installation authorization shall be conditioned upon the following:

- (1) Monthly progress reports on construction activities shall be submitted to the Department at the addresses given in Condition 11(a) and (b) of Section II of this permit beginning at the end of the month in which construction activities commence for Area V. The first progress report shall include a tentative schedule of milestones to be achieved during the construction /installation of cell 5A. This construction schedule shall be updated and included in each successive monthly progress report.

Each report shall also contain text describing milestones achieved during the month, problems encountered with materials, field conditions, etc., significant deviations from the approved construction plans and engineering designs, and preliminary results of construction quality assurance and quality control (CQA/QC) sampling.

- (2) Monitoring and testing of construction materials and installation methods shall be conducted in accordance with the CQA/QC plan submitted pursuant to the construction quality assurance program requirements of 40 C.F.R. § 264.19(b). Specifically, the permittee is required to document the quality of construction materials and the condition and manner of their installation throughout the project. Components of landfill construction to be monitored shall include but not be limited to the following:

- Site Clearing and Subgrade Preparation
- Placement of Structural Fill
- Dike Construction
- Double Composite Liner System Installation
- Leak Detection System Installation
- Leachate Collection System Installation
- Surface Preparation

Elements of the quality control program shall include but not be limited to the following:

- Material Handling and Storage
- Properties Identification/Conformance Testing
- Material Placement/Installation
- Post-Installation Inspections
- Field Sampling Procedures
- Non-Destructive Testing
- Destructive Testing
- Laboratory Protocol
- Material Repair/Replacement
- Protection of Work
- Recordkeeping and Reporting

(b) The permittee shall not commence operation of cell 5A of Area V of Secure C Landfill until the following conditions have been satisfied:

- (1) The permittee has submitted all required progress reports in accordance with Condition 7(a)(1) of Section III of this permit and has complied with any response received from the Department concerning information presented within these reports.
- (2) The permittee has completed all required CQA/QC sampling and testing in accordance with the approved CQA/QC plan and has submitted all results, including raw data, to the Department for review.
- (3) The permittee has submitted to the Department at the address given in Condition 11(a) of Section II of this permit, by certified mail or hand delivery, a letter signed by the permittee and an independent, New Jersey licensed, professional engineer who has monitored construction/installation activities at the site throughout the project, which attests that cell 5A of Area V of Secure C Landfill has been constructed and installed in accordance with the approved construction plans and engineering designs specified in Condition 12 of Section II of this permit, with exceptions noted.

The certification letter shall be accompanied by a construction report which provides a general summary of the construction/installation process, itemizes deviations from the approved construction plans and engineering designs, and provides as-built drawings for the completed portions of cell 5A, including details on the tie-in of Area V with existing components of Areas III and IV of Secure C Landfill, as necessary.

- (4) The permittee has submitted to the Department at the address given in Condition 11(a) of Section II of this permit, by certified mail or hand delivery, a certification letter signed by the CQA officer who administered the CQA/QC plan, which states that the approved plan has been successfully carried out and that cell 5A meets the requirements of 40 C.F.R. § 264.301(c). A report which provides raw CQA/QC data and analyses of all CQA/QC data collected over the course of the project shall be submitted along with the CQA officer's certification letter.
- (5) The permittee has received written authorization from the Department which advises that the information submitted pursuant to items (1) through (4) above has been received and found to be satisfactory by the Department, that the Department has conducted an inspection of Area V of Secure C Landfill and has determined that construction of cell 5A has been

successfully completed by the permittee, and that the permittee may commence disposal operations within cell 5A in accordance with Condition 1 of Section III of this permit.

End of Section III

DOCUMENT: DUPONT CW LANDFILL PERMIT